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Registered Representative

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Signature

1/18/02

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Our Case No.: 659-867

K-C Ref. No. 17,022

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Price et al.

Serial No.: 09/899,808

Filing Date: July 5, 2001

For: REFASTENABLE ABSORBENT  
GARMENT

Examiner: To be assigned

Group Art Unit No.: 1772

## PRELIMINARY AMENDMENT AND STATEMENT ABOUT INVENTORSHIP

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Prior to calculation of the filing fee and examination, please enter the following preliminary amendment in the subject application.

**STATEMENT ABOUT THE INVENTORS:**

Pursuant to 37 C.F.R. §1.63(d)(2) and M.P.E.P. § 602.05(a), Applicants hereby state that the subject matter invented by Harold Heller, Donald Sanders, Paul Van Gompel and Paul Christoffel in this application is no longer included in the pending claims thereof by virtue of this preliminary amendment.

Please amend the list of inventors by deleting the above-named inventors so that the present application lists as inventors:

Mary Anne Bruemmer-Prestley, Sarah Jane Marie Freiburger, Cindy Price, Lori Schutkoske and Suzanne Marie Schmoker.

**IN THE SPECIFICATION:**

Please rewrite the paragraph beginning at page 14, line 22 as follows:

The preferred non-woven materials, which are relatively smooth, can be distinguished from other non-woven materials that have been used as loop materials by a comparison of various properties. For example, and referring to FIGS. 12-15, Scanning White-Light Interference Microscopy (SWLIM) tests were performed on two materials, a 0.60 osy wire-weave spunbond laminate material and a 2.0 osy point-unbonded (PUB) material to determine various roughness parameters. The 2D and 3D representations of FIGS. 12-15 are each a 3 x 3 field montage, having a size of about 6.7 mm x 5.1 mm. The measurement information for each representation included a 2.50 magnification, a VSI measurement mode and a 6.72 um sampling. In addition, the measurement information for the representations of FIGS. 12 and 13 included a 995 X 652 array size, while the information for the representations of FIGS. 14 and 15 included a 997 X 634 array size. In addition, with respect to at least the 2-D representations, the processed options for the representations of FIGS. 12 and 14 included low pass filtering, with the "tilt" term removed in the representation of FIG. 12. The results of the SWLIM tests are referenced in Table 1.



Our Ref. No. 659-867  
K-C Ref. No. 17,022

**IN THE CLAIMS:**

Please cancel claims 1-14 without prejudice, rewrite claims 15 and 20, and add 27-50 as follows:

15. (Amended) An absorbent garment comprising:

a body panel having a length and a side edge; and

a fastening member comprising at least two independently moveable tab members each having an engagement portion releasably and refastenably engaging said body panel, wherein said tab members extend laterally inward from said side edge of said body panel, each of said engagement portions having an engagement length, wherein the sum of said engagement lengths is at least about 20% of said body panel length.

20. (Amended) The invention of claim 19 wherein said fastening member comprises a carrier member having a length and further comprising a rear body panel comprising a side edge having a length secured to said side edge of said front body panel along a seam having a length.

-- 27. The invention of claim 20 said front and rear body panels have substantially the same width.

28. An absorbent garment comprising:

a body panel having a length and a side edge; and

a fastening member comprising a carrier member defining at least two independently moveable tab members extending laterally inward from said side edge of said body panel and an engagement portion disposed on each of said tab members, wherein said engagement portions releasably and refastenably engage said body panel, and wherein each of said engagement portions has an engagement length, wherein the sum of said engagement lengths is at least about 20% of said body panel length.

29. The invention of claim 28 wherein the sum of said engagement lengths is less than about 90% of said body panel length.
30. The invention of claim 29 wherein the sum of said engagement lengths is between about 30% and about 80% of said body panel length.
31. The invention of claim 30 wherein the sum of said engagement lengths is between about 40% and about 60% of said body panel length.
32. The invention of claim 28 wherein said body panel comprises a front body panel, wherein said carrier member comprises a base portion, wherein said tab members extend from said base portion, and wherein said base portion has a length, and further comprising a rear body panel comprising a side edge having a length secured to said side edge of said front body panel along a seam having a length, wherein said length of said carrier member is at least about 50% of said length of said seam.
33. The invention of claim 32 wherein said length of said carrier member is at least about 90% of said length of said seam.
34. The invention of claim 32 wherein said length of said carrier member is at least about 50% of said length of said side edge of said rear body panel.
35. The invention of claim 32 wherein said carrier member is fixedly secured to said rear body panel.
36. The invention of claim 28 wherein said body panel comprises a landing member, wherein said at least two engagement portions are releasably engaged with said landing member.

37. The invention of claim 32 wherein said front and rear body panels have substantially the same width.
38. A method for adjusting the fit of an absorbent garment on a user comprising:  
providing a body panel having a length and a side edge; and a fastening member comprising at least two independently moveable tab members each having an engagement portion releasably and refastenably engaging said body panel, wherein said tab members extend laterally inward from said side edge of said body panel, each of said engagement portions having an engagement length, wherein the sum of said engagement lengths is at least about 20% of said body panel length;  
disengaging one of said at least two engagement portions from said body panel while maintaining said releasable and refastenable engagement of the other of said at least two engagement portions with said body panel; and  
releasably and refastenably reengaging said body panel with said disengaged one of said engagement portions.
39. The invention of claim 38 wherein the sum of said engagement lengths is less than about 90% of said body panel length.
40. The invention of claim 39 wherein the sum of said engagement lengths is between about 30% and about 80% of said body panel length.
41. The invention of claim 40 wherein the sum of said engagement lengths is between about 40% and about 60% of said body panel length.
42. The invention of claim 38 wherein said body panel comprises a front body panel.
43. The invention of claim 42 wherein said fastening member comprises a carrier member having a length and further comprising a rear body panel comprising a side edge having a length secured to said side edge of said front body panel along a seam having a length.

44. The invention of claim 43 wherein said length of said carrier member is at least about 50% of said length of said seam.

45. The invention of claim 44 wherein said length of said carrier member is at least about 90% of said length of said seam.

46. The invention of claim 43 wherein said length of said carrier member is at least about 50% of said length of said side edge of said rear body panel.

47. The invention of claim 46 wherein said length of said carrier member is at least about 90% of said length of said side edge of said rear body panel.

48. The invention of claim 43 wherein said carrier member is fixedly secured to said rear body panel.

49. The invention of claim 43 wherein said front body panel comprises a pair of side portions and a landing member extending between said side portions, wherein said at least two engagement portions are releasably engaged with said landing member, and wherein said carrier member is fixedly secured to said side portions of said front body panel.

50. The invention of claim 43 wherein said front and rear body panels have substantially the same width. --

**REMARKS:**

Applicants have amended claims 15 and 20 only to improve the clarity and form thereof, rather than for any reason related to the patentability thereof. A marked-up version of claims 15 and 20 is attached as Appendix A. In addition, Applicants have presented new claims 27-50 to further define the subject matter of the invention. Finally, Applicants have amended the specification to recite various information and parameters that were previously disclosed in

FIGS. 12-15. No new matter has been added by way of these amendments. Any questions concerning these amendments should be directed to the undersigned attorney.

Respectfully submitted,



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## APPENDIX A

Applicants have amended the specification, and in particular the paragraph starting at page 14, line 22, as follows:

The preferred non-woven materials, which are relatively smooth, can be distinguished from other non-woven materials that have been used as loop materials by a comparison of various properties. For example, and referring to FIGS. 12-15, Scanning White-Light Interference Microscopy (SWLIM) tests were performed on two materials, a 0.60 osy wire-weave spunbond laminate material and a 2.0 osy point-unbonded (PUB) material to determine various roughness parameters. The 2D and 3D representations of FIGS. 12-15 are each a 3 x 3 field montage, having a size of about 6.7 mm x 5.1 mm. The measurement information for each representation included a 2.50 magnification, a VSI measurement mode and a 6.72 um sampling. In addition, the measurement information for the representations of FIGS. 12 and 13 included a 995 X 652 array size, while the information for the representations of FIGS. 14 and 15 included a 997 X 634 array size. In addition, with respect to at least the 2-D representations, the processed options for the representations of FIGS. 12 and 14 included low pass filtering, with the "tilt" term removed in the representation of FIG. 12. The results of the SWLIM tests are referenced in Table 1.

Applicants have amended claims 15 and 20 as follows:

15. (Amended) An absorbent garment comprising:

a body panel having a length and a side edge; and

a fastening member comprising at least two independently moveable tab members each having an engagement [portions] portion releasably and refastenably engaging said body panel, wherein said tab members extend laterally inward from said side edge of said body panel, each of said engagement portions having an engagement length, wherein the sum of said engagement lengths is at least about 20% of said body panel length.



20. (Amended) The invention of claim 19 wherein said fastening member comprises a carrier member having a length and further comprising a rear body panel comprising a side edge having a length secured to said side edge of said front body panel along a seam having a length.